IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2703 OF 2005

Mumbai Cattle Traders Association
and another. ... Petitioners

Versus.

State of Maharashtra and another. ... Respondents.

Shri A.Y.Sakhare, Senior Counsel with Shri Anil Singh i/by Shri D.R.Shah for the Petitioners.

Shri P.G.Lad, A.G.P. for the Respondents.

CORAM : H.L.GOKHALE, &
ABHAY S. OKA, JJ.

DATED : 12th JANUARY, 2006.

P.C.:

1. Heard Shri Sakhare in support of this petition. Shri Lad appears for the Respondents. The Government decision dated 18th August 2005 is sought to be challenged in this petition whereby the Government has decided to shift the cattle market from Goregaon in North Mumbai to Palghar in District Thane. It is submitted that Palghar will not be a convenient place. Now what is material to note is that the decision to close cattle market at Goregaon was taken way back in the year 1986. The shifting got postponed for some reason or the other including because of the appointment of a Committee pursuant to a decision of the Division Bench of this Court in Writ Petition No.1002 of 1986, which was directed to go into this question and submit a report. That committee consisted of the representatives

of the Petitioners. Shri Sakhare submits that the report of the Committee is not received by the Petitioners and that the decision is not justified on merits.

2. As far as the decision is concerned, it is based on the report of the Committee. Earlier it was decided to shift the cattle market near Vasai. But now Vasai and Virar which are areas situated north of Mumbai have also got congested and therefore, the Government must have thought it fit to shift the market to Palghar. Shri Sakhare submits that the said place is not convenient. It is a place near Pashupaidas Kendra and an area of 10 acres have been earmarked. Shri Sakhare submits that appropriate facilities regarding water supply and roads are presently not available. It will be the responsibility of the Government to make arrangement for the same. It is purely an administrative decision which has been arrived at after taking into consideration the interest of the affected persons. No reasons to interfere. Petition is rejected.

(H.L.GOKHALE, J.)

(Abhay S.Oka, J.)